Development (1952) Department.

MS SERIES

G.O. No. 2728

Dated 1/7/52

[Despatch Abstract.]

Acts and Rules -- Workmens compensation Act, 1923 -- destruction of records -- Rules relating to -- Prescribed

GOVERNMENT OF MADRAS.
ABSTRACT.

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ACTS AND RULES - Workmen's Compensation Act, 1923
Destruction of records - Rules relating to - prescribed.

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DEVELOPMENT DEPARTMENT.

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G.O.Ms.No.2728. Dated 1st July 1952.
Read the following:

From the Commissioner of Workmen's Compensation, No.C1,40681/51, dated 31.1.52 and 13.5.52

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O R D E R:

THE following notification will be publish d in the Fort St. George Gazette:

NOTIFICATION.

DRAFT MODEL RULES RELATING TO DESTRUCTION OF WORKMEN'S COMPENSATION RECORDS.

In exercise of the powers conferred by section 3 of the Destruction of Records Act, 1917 (Central Act V of 1917), His Excellency the Governor of Madras hereby makes the following rules:--

RULES.

1. Short Title: These rules may be called the Madras Workmen's Compensation (Destruction of Records) Rules,1952.

2. Definitions: In these rules, unless there is anything repugnant in the subject or context.

(1) the "Act" means the Workmen's Compensation Act, 1923 (Central Act VIII of 1923).
(2) "application" means on application made under the Act.
(3) "Commissioner" means a Commissioner for Workmen's Compensation appointed under section 20 of the Act.
(4) "section" means a section of the Act.

3. Permanent Records: The following documents shall be preserved permanently:—

(1) Registers of applications for the settlement, of any matter under the Act.
(2) Applications in which detailed judgments have been recorded.
(3) Applications in which compensation referred to in section 31 of the Act has not been recovered.
(4) Cash Books showing the daily transactions in respect of receipts and payments.
(5) Investment ledgers in which transactions in the Cash Book are recorded under separate accounts for each deposit.
(6) Registers of Agreements in Form "R" referred to in rule 52 of the workmen's compensation Rules, 1924.
(7) Register of Deposits.
(8) Register of Receipts.
(9) Register of Repayments.

P.T.O.

(10) Such other records as in the opinion of the Commissioner are of public interest and are worth preserving.

5. Records to be preserved for six years:—

The following documents shall be destroyed after the expiration of a period of six years from the date of the last transaction or disposal:-

(1) Annual returns submitted by employers under section 16 of the Act.
(2) Applications for certified copies.
(3) Counterfoils of receipts for deposits made under sections 8(1) and 8(2) of the Act.
(4) Counterfoils of cheques issued (Payment Order).
(5) Counterfoils of chalans (Order for lodgement).
(6) Bank Pass Books.
(7) Vouchers for personal payments made to parties.
(8) Bank receipts for money deposited.
(9) Stamps (Court fee) Registers.
(10) All applications excepting those referred to in item No.(2) in rule 3.
(11) All applications for registration of agreements referred to in section 28 of the Act.

5. Records to be preserved for twelve years:

(1) Post Office Savings Bank accounts files in respect of payments made on behalf of minors shall be destroyed after the expiration of twelve years from the date of the last transaction or disposal or after the expiration of six years from the date the minors attain majority according to the records maintained in each case whichever is longer.

(2) The following documents shall be destroyed after the expiration of a period of twelve years from the date of the la t transaction. or disposal:—

(i) Post Office Savings Bank Account files other than those mentioned in sub-rule (1).
(ii) Post Office Savings Bank accounts ledger books.

6. Liability to destruction of documents and papers left by parties with application:

Parties leaving documents and papers with applications shall do so at their own risk and such documents and papers shall be liable to destruction along with the applications in accordance with these rules.

7. Manner of destruction of records:

THE records may be destroyed either

(a) by tearing, or
(b) by burning,

in the presence of a responsible officer. Provided, however, that records of a secret or confidential nature shall be destroyed only by burning.

8. Disposal after the records are destroyed: The records destroyed in the manner prescribed in clause (a) of rule 7 may be sold or otherwise disposed of in such manner as the Commissioner thinks fit.

P.T.O.

9. Register of Records destroyed: A Register of the records destroyed shall be maintained in two parts, Part I shall relate to applications and Part II to other records. The register shall be in the following form.

Serial No.	Numbers and year of the applications, files or other references.	Mode of destruction.	Date of destruction.	Remarks.

(BY ORDER ETC.,)

(Sd.) x x x
Secretary to Government.

To the Superintendent, Government Press for publication.
The Commissioner for Workmen's Compensation.
The Home Department.
The Legal Department.
The Honorable the Chief Justice, High Court, Madras.
The Accountant General, ~~through~~ Madras.
The Department of Labour.

/True Copy/.

R Thiagarajan 22.4.56
SUPERINTENDENT.
Madras Record Office, Madras

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